IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
CRIMINAL APPLICATION NO.4120 OF 2004
IN
CRIMINAL APPEAL NO.551 OF 2004

Vilas @ Hari Om Tatoba Ghag Appellant

Vs.

The State of Maharashtra Respondent

Mr.Shirish Gupte, Senior Counsel with Mrs.A.M.Z. Ansari for appellant.
Mr.D.S.Mhaispurkar, APP for State.

CORAM: S.S.PARKAR & SMT.RANJANA DESAI,JJ.

November 02, 2004.

P.C.

1. Heard.

2. This is the second application made for release of the appellant on bail while pending the hearing of the appeal filed by him against the order of his conviction for offence under Section 302 of IPC. Earlier application for bail was rejected by our order dated 17th June 2004 after considering the application on merits. Apart from the evidence of oral dying declaration this applicant was named in the FIR which was lodged by the head constable. It was also pointed out that the applicant was having five cases against him in the past. We are told that three cases have resulted in acquittal and only two cases are pending against him.

3. The application was earlier rejected on merits and there is no change of circumstances.

4. In the result, this application is rejected. However, in the facts and circumstances of the case

hearing of the appeal is expedited. Liberty to apply for fixing the date of hearing after the appeal is ready for hearing.

(S.S.PARKAR,J.)

(SMT.RANJANA DESAI,J.)